



PATENT

Attorney Docket No. 02481.1628-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Ursula SCHINDLER et al.) Group Art Unit: 1624
)
Application No.: 10/816,143) Examiner: Paul V. Ward
)
Filed: April 2, 2004) Confirmation No.: 2507
)
For: SULFUR SUBSTITUTED)
SULFONYLAMINOCARBOXYLIC)
ACID N-ARYLAMIDES, THEIR)
PREPARATION, THEIR USE AND)
PHARMACEUTICAL)
PREPARATIONS COMPRISING)
THEM)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated February 14, 2007, the Examiner required
restriction under 35 U.S.C. § 121 between the following groups:

- Group I - The compounds and compositions according to claims 1-13, 16 and 17 of formula I, wherein A² is benzene or naphthalene.
- Group II - The compounds and compositions according to claims 1-13, 16 and 17 of formula I, wherein A² is 3-membered to 7-membered carbocycle.
- Group III - The compounds and compositions according to claims 1-13, 16 and 17 of formula I, wherein A² is 5-membered to 7-membered heterocycle.

- Group IV - The compounds and compositions according to claims 1-13, 16 and 17 of formula I, wherein A² is 8-membered to 10-membered heterocycle.
- Group V - The methods of treating according to claims 18-22, wherein A² is benzene or naphthalene.
- Group VI - The methods of treating according to claims 18-22, wherein A² is 3-membered to 7-membered carbocycle.
- Group VII - The methods of treating according to claims 18-22, wherein A² is 5-membered to 7-membered heterocycle.
- Group VIII - The methods of treating according to claims 18-22, wherein A² is 8-membered to 10-membered heterocycle.
- Group IX - The process of preparing according to claims 14-15, wherein A² is benzene or naphthalene.
- Group X - The process of preparing according to claims 14-15, A² is 3-membered to 7-membered carbocycle.
- Group XI - The process of preparing according to claims 14-15, wherein A² is 5-membered to 7-membered heterocycle.
- Group XII - The process of preparing according to claims 14-15, wherein A² is 8-membered to 10-membered heterocycle.

In response to the Restriction Requirement, Applicants elect to prosecute Group I, claims 1-13, 16 and 17 drawn to formula I, wherein A² is benzene or naphthalene, with traverse.

Additionally, the Office has required the election of a single species within the elected group. (Office Action, pg. 4.) Applicants elect, with traverse, to prosecute the species described in the compound of example 34 (page 63, lines 13-14): 5-chloro-2-(4-chloro-phenylsulfonylamino)-N-(4-methyl-5-(thiomorpholine-4-sulfonyl)-thiazol-2-yl)-benzamide.

Applicants respectfully traverse the restriction and election requirements for at least the reason that the Office has not shown there to be a "serious burden" to examine


all the claimed subject matter together. M.P.E.P. § 803 ("If the search and examination can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.") For example, although the Office states that separate searches would be required, this is not necessarily evidence of the required "serious burden". Reconsideration and withdrawal of the restriction and election requirements is requested.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 16, 2007

By: 
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